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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)	
)	
Administration of the)	CC Docket No. 92-237
North American Numbering Plan)	Phase One and Two
Notice of Proposed Rule Making)	

COMMENTS
OF
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COMMENTS OF TELCO PLANNING, INC.

Telco Planning appreciates the effort of the FCC inquiry and proposed rule making to seek competitive telephone industry participant comments. Telco Planning consultants are former network operations personnel from toll carriers and local telephone companies. Before and after divestiture, Telco Planning Consultants have been an integral part of the traditional and new entrant telephone companies by providing solutions to telephone network personnel planning or integrating new technologies. Telco Planning generally concurs with work resulting from the NOI and industry groups such as Future Numbering Forum and Alliance for Telephone Industry Solutions, and hereby submits these Comments in response to Phase I and Phase II of the Federal Communications Commission's (Commission) Notice of Proposed Rule Making in the above-captioned docket.¹

The Commission has requested comment on various issues related to its proposal on establishing a new, non-government entity to take over the role of Bell Communications Research in administering the NANP; the parameters defining mission, management, structure, functions, personnel, and capabilities of a new NANP administrator; and funding alternatives for the NANP administration. The Commission has also requested comment on various issues related to its potential reconsideration of the industry's decision to expand Feature Group D (FGD) carrier identifications codes (CIC). Telco Planning feels that the operators of NANP should relinquish their position as offered. The strain on new uses of numbers that do not conform to plans (well founded) that NANP owners have. What seems logical to traditional network operators is currently being challenged by every corner of new entrants.

¹ Administration of the North American Numbering Plan, Notice of Inquiry, CC Docket No. 237, 7 F.C.C. Rcd 6837 (released October 29, 1992)(NOI).

1. NANP Subject to an Oversight Committee

After ten years of implementing deregulation, some new entrants are finally attracting more sophisticated business managers and investors. These new network owners do not look at the public switched telephone network as a public universal service, but as a lucrative undeveloped information transfer medium. The following comments use as a reference, the past opportunities of LECs to be LECs and IXCs to be IXC's (purchasers of access), but the future of numbering will need to solve IXCs as LECs and LECs as IXCs. The caps, cable, and wireless will be simply different mediums of transmission.

Telco Planning recommends to the FCC that an Oversight Committee be introduced to the industry. The Oversight Committee should be responsible to the F.C.C. and subject to any rules governing competitive telephone networks, Domestic and International. The Oversight Committee should have participation by switch and facilities based intra/inter LATA Network providers. The Oversight Committee should at a minimum review and concur on all WZ-1 positions for the United States of America. The Oversight Committee should include representation by personnel of entities in WZ-1, other than United States of America Telephone companies. The oversight committee should filter direction, policy and management to a new NANP entity.

2. Mandatory Number Charges to Finance the International Administration

To promote numbers as a non-owned resource, funding of a new NANP entity should be end-user funded. Network Providers (LEC, CAP, IXC, Wireless, ESP and IP) should not pay for numbers. The United States of America is not void of anti-competitive practices, nor do we recommend a non-competitive environment. Garnering of numbers will result if Network providers are expected to pay for numbers (reserved and in use). If Network providers do develop a reserve of numbers for final assignment, the numbers in reserve (not in use for End-

users) should be assessed a premium. Gaming of numbers through reserved pools limits competition and can be effectively executed by about 100 U.S. Carriers that could harm End-User benefits and the other 3,500 Network Operators. Sound strategic business practice will force some Network providers to exploit number gaming if the funding structure is unbalanced.

End-users should pay for numbers, even if the collection method is through the Network Providers. By having End-users pay for numbers (they are the least likely to afford gaming of numbers) conservation and efficient use by Networks will be demanded by holders of numbers thus Telephone Companies will less likely hoard or use anti-competitive practices. Some numbering resources are exceptions. Fees could be collected by NANP from Network providers for network administration of such numbering resources as CIC's, Point Codes, CLLI's, etc.

3. Interstate, IntraLATA "1+" Message Telephone Service

All Network Access Providers should process interstate intra-LATA "1+" as well as local extended area service calls to the preselected carrier of choice (LEC, IXC, CAP, Wireless, ESP and IP).

A Network Access Provider (NAP, LEC, IXC, CAP, ALT, and Wireless) may not always be considered a dial tone provider. The initial transport carrier brings the callers interface to dial tone and a switching entity. All LEC, IXC, CAP, Wireless, ESP and IP should support call switching to another carrier as directed by the end-users account information stored in a routing database accessible to network providers. Telco Planning feels that traditional LEC's will be competitive IXC's and traditional IXC's will become competitive LECs.

4. Funding of a Replacement NANP Administration.

Funding of the NANP should come from revenues collected for telephone numbers. The collection of the fund should be incorporated into an already collected fund such as Universal Service, Common Carrier Network Access, or Federal 911 fund. New entrants and emerging industries should be assessed, differently as an exception to assessing fees. New entrants need to address competitive entrance but currently cost NANP in time, research and evaluation by providing valuable input. The new entrants fee should not be so burdensome as to be preventative, nor should it be so low as to allow for frivolous expeditions. New entrants should be assessed a limited fee to discourage lengthy processes because imbedded networks which potentially include competitors will benefit from time delays.

One of the greatest accomplishments of the current NANP is its service to foreign countries in World Zone One (WZ1). Today environment offers very distinct challenges to the United States of America when it disbands or revamps NANPA. Other WZ-1 countries appear to be prepared to work with NANP as it evolves. What worries Telco Planning is that other World Zone entities may have well intentioned or competitively advantaged numbering plans exclusive of USA needs.

An item not addressed in the NPRM considers replacing or transferring the existing NANP technologies. BELLCORE has absorbed costs per the responsibility the MFJ assigned and BELLCORE accepted. No tool of the existing NANP should be claimed as proprietary but BELLCORE should be adequately compensated for development of "feeds" to otherwise proprietary documents utilized by dominant carriers.

5. ATIS to Handle Future NANPA Subject to Oversight

Alliance for Telephone Industry Solutions (ATIS) is an excellent solution to filter industry participant requests for change or productive introduction of numbering issues in the United

States. ATIS has developed many industry forums including the Industry Numbering Committee (INC) by separating numbering issues from the Industry Carrier Compatibility Forum. ATIS should be an integral part of the NANP transition by functioning as an oversight committee thus continuing its development of INC, and continuing integration of numbering issues with other ATIS forums. Further, Telco Planning recommends ATIS act as an Interface between issues and arbitration.

The ATIS should not perform arbitration but develop practices to keep the industry out of arbitration. Specifically, please refer to the attached Future Numbering Forum document #94-002 (and attachment 94-042) which in principle reflects Telco Planning's position of ATIS and most importantly arbitration. Arbitration is perceived to be less burdensome on the FCC and United States Judicial System, void of international government concerns and apart from competitors with invested technologies. Arbitration should come after the Industry Numbering Forum process breaks down. At that point the ATIS Forum should transition expeditiously, issues in and out of the forum process.

Issues that enter into the Forum process from industry participants, NANPA, resolution from arbitration, and new entrants need to be managed. INC, a new group has managed changes made by industry through the consensus process and has developed a task group which includes a Resource Management and Long Term Numbering Plan Task Force. The task force (RMLD) shows how the Industry Numbering Committee allows for the industry to resolve issues without further oversight.

6. Non-Government Entity to Handle Administration of the NANP

The F.C.C. should develop from ATIS's Industry Numbering Committee the criteria for a new NANPA based on work done by the FNF and comments through this Notice of Proposed Rule Making. Criteria already expressed by industry participants through FNF speaks in favor

of a neutral non-industry administration owner. The FNF industry participants had not ever considered a governmental agency to perform this work. Speaking on behalf of basic politics, Telco Planning believes the government's role is to govern, not to perform administrative, secretarial or for profit work that many business entities would be glad to perform. Telco Planning's position on government agency administration of NANPA is not based on resource needs or efficiencies. Government is continuing to meld into operations like businesses. The belief of Telco Planning is that business should work, Government should govern.

7. Tentative Conclusions on the Parameters of a New NANP Administrator

Referring back to the previous FNF diagram of ATIS and arbitration, the role of NANP is suggested. NANP should maintain records of assignments, report changes in NAP and End-user assignments for provisioning, manage reservation pools, and distribute non-proprietary data. NANPA should make new assignments or manage existing assignments based on the guidelines presented by the industry. Sufficient oversight by the FCC should protect the NANPA entity and personnel from judicial recourse by entities disputing NANPA decisions and actions.

NANPA needs to offer finality in its decision. NANPA should not hesitate in making decisions which is currently a major obstacle to new entrants. NANPA should be comfortable in referring complaints to an industry forum or to arbitration via the oversight committee. At a minimum, the new NANPA personnel should be trained on industry call routing, translation, and number portability technologies. The new NANPA should be prepared to create and support data updates to the above mentioned technologies thus ushering in the new call processing capabilities of the Intelligent Network. It is clear that basic building blocks of numbering such as V&H and LERG are both proprietary and not meeting the needs of non-traditional entrants. NANP should be prepared to distribute the data through a generic record

and on a timely basis that supports traditional tools but encourages development of non-dependent resources. Just how far the NANP should progress with transitioning BELLCORE owned support documents that NANP previously populated should be looked at closer.

8. Policy Board to Assist Regulators in Developing Numbering Policy

The formation of a policy board seems to be addressed as a function of the oversight committee, the Industry Numbering Committee and the FCC, referenced earlier in this contribution. The Industry Numbering Committee in this scenario would identify numbering resources for products. The FCC in this scenario would endorse any use of a numbering resource when asked to intervene. The oversight committee directs or clarifies the recommendations of the Industry Numbering Committee or the mandates of the FCC.

9. Appointing Board Members, Representation of the United States and Foreign Carriers, Terms of Board Membership, Meeting Procedures, Appeal of Board Decisions, and Size of Board

The composition of a policy board performing oversight over NANPA as described in the NPRM, is anticipating that the NANPA would be representative of multiple world entities. Through the process of the Notice of Inquiry and the Notice of Proposed Rulemaking, TELCO Planning has not been able to ascertain the positions of other WZ1 entities. Therefore, TELCO Planning recommends the following composition of a NANP oversight committee. The ATIS as the oversight committee should establish a subset of the Industry Numbering Committee to provide rotational members (both persons and companies). Representatives should come from network/switched based companies (without regards to LEC/CAP/IXC and WIRELESS), and from users, regulatory commissions, trade groups of manufactures and new entrants. The ATIS forum process facilitates participation without membership that could allow non-members to participate on an oversight committee. The costs of funding the oversight

committee should not rest on a group such as ATIS. The costs should be self generated billed back to each member, pro rata.

Again referencing work from the FNF, the drawings show a flow of issues for the interaction of such a board. The meeting locations should be determined by the group of participants. TELCO Planning recommends the meetings be in conjunction with the Industry Numbering Committee meetings. By using as a reference the Ordering and Billing Forums of ATIS, several little committees meet to manage solutions while other committees are gathered.

TELCO Planning feels that industry participants should pick-up their own costs for participation in the oversight committee. Other participants, such as regulators and users should also budget for participation. The sponsoring group should receive some budgeted fees collected derived from applications and regulatory fees.

10. Application and Regulatory Fees

The FCC should assess each end-user a fee for a numbering resource, without conveying ownership. The fee should be collected from each network provider of a dialed or addressable network number. The FCC should direct NANP to collect an application fee. The FCC should not require or assess a fee for numbers or applications that require end-users' to first have a contractual relationship. Requests by End-users to a network provider on the basis of guaranteed duration, volume or other contractual relationship should be eliminated. Without a full understanding of the ramifications of Responsible Organizations for 800 portability, the NANP should be prepared to address applications from such entities on behalf of End-users.

11. Voluntary Contributions

The FCC should require contributions by US Entities for participation in NANP and the groups that support NANP. If NANP has foreign representations and the NANP will as a result

support all of WZ1 then, the FCC should require the foreign entities to contribute equally to US participants. The FCC should not require the NANP to fund further development of the WZ1 dialing plan. BELLCORE and most carriers support the consolidation and uniformity of a WZ1. BELLCORE was mandated the responsibility NANP and the investment by it's owners. The same relationship does not exist in the future. While most individuals would support an integrated and uniform WZ1, the participating countries are not positioned to allow entry into their market places by US NANP funding entities. While the restructuring of NANP is not an issue that would drive other WZ1 countries to revamp their telecommunications policy, it is an opportunistic time to evaluate ownership and participation in NANP.

If a WZ1 country elected not to participate in NANP, then the entity would not receive any additional NANP resources. The NANP would also not assume plenary control over those WZ1 resources. While this approach would significantly harm the uniformity and benefits of the previous NANP, TELCO Planning does not support funding NANP for assumed control over non-contributing entities. TELCO Planning also assumes the FCC would need to develop a new procedure for work between NANP and the other countries involved in NANP. The FCC position should be to encourage adoption of US NANP requirements by other WZ1 countries.

12. Charges for Numbering Resources

Whether or not NANPA is to administer all of WZ1, the fees assessed by NANPA should be uniform for requesting country, industry segment or numbering resource requested. By the same token, contribution to NANP from any WZ1 entity should be the same for comparable resource charges for any similar resource that is paid by other NANP participants. Stated differently, if Unitel of Canada participated in NANP with Canada's WZ1 resources, then Unitel and Canada's cost should be same as Jamaica and MCI.

The costs of NANP, the oversight committee and regulators should be recouped in a direct relationship to the cost to provide the resource. NANP applications and assignment should generate fees. The cost of maintaining NANP staff, and the administrative work for assorted guidelines should come from the proposed fees in which the costs of such services should be established by the NANP with review from the oversight committee. A rate of return should be established for mandatory services performed by the NANP and required by the oversight committee and the appropriate regulatory commissions. The NANP should be allowed to bill for services rendered but not mandated. The optional services performed should not have a rate of return component or a price that is established by the FCC or oversight committee. Mandated services should be determined and priced by representatives and correspondences with industry forums, the regulatory bodies, applicants that have paid fees and network service providers requesting assignment information.

13. Other Funding Alternatives

The current fee schedules published by the FCC and mailed to Mellon Bank appear not to cover costs of the FCC. This observation is based on the perceived cost to do business as a government agency and be located in the Washington DC area. The fees, if set artificially low for NANP in fairness to large and small requesters should be included with comments on the use of NANP assessments used for related objectives. TELCO Planning speculates if the FCC fees were cost based, there would be a lot less activity but the activity done would be conducted by well funded entities. Abuse by well funded entities seems to be well protected by the current FCC fee schedule, but some protection needs to protect against frivolous NANP requests. Small participants in the industry that have completely speculative R&D that is ready for deployment but not ready for funding by investors, should be able to make NANP requests with limited application fees.

TELCO Planning requests the FCC to closely watch the assessment of fees that cover costs or earn a profit. Costs and profits generated from an environment always seeking state-of-the-art capabilities will inflate costs. The FCC should also prepare the industry for new, non-conventional NANP approaches.

14. Non-Uniform Dialing Arrangements

For TELCO Planning, the issues surrounding uniform dialing, PCS and protability includes the fees to be assessed for numbers, the control of a network provider and the management of numbers held in reserve because of technology limitations. Today portability has not been required, therefore multiple networks using a NANP administered resource from a common pool has eluded end-users. Imagine the rush for services if the End-user owned the number but the telephone used was simply a device address. Technology allows number portability, but business relationships, agreements on a generic technology and the regulatory oversight of many large entities is in disarray. By separating the numbering issue from technology control of NANP and business posturing of competitors, the number portability issue would have been solved by using a NANP administered SMS.

Until number portability comes around and a proposed surcharge discourages numbers held in reserve, we will have wasteful assignments of numbers from technology based pools that support device address, not End-users address.

An example of other issues is the firms that have ten trunks for incoming and outgoing. End-users calling the firm dial one number to reach the firm, yet the firm has a telephone number assigned for each circuit. Another waste of End-user numbers involves Cellular firms with type two connections. Type two connections require an allotment of a whole NXX, yet only 70% of the NXX is utilized. Finally, some cases exist of a whole NXX has been set aside

for DIDs', Centrex/Centranet² but have not had market penetration to make assignments to the full NXX range. The common practice with some carriers is to assign a telephone number to each trunk. TELCO Planning concurs with a popular belief that as a result of assigning numbers only to devices in geographic areas that perhaps only 50% of the assigned NXXs have dialed assignments.

With regards to PCS, The FCC should treat numbering wholly separate of the technology issues. There should always be pressure on the competitive companies to roll-out service for assigned numbers. In addition, if the numbers had been assigned, without traditional development of a pool such as the SAC 500, many entities would have gone forward with PCS and forced a more visible need to force a quicker solution for number portability. Sometimes too much posturing goes on in technology. The posturing of existing networks is certainly sound business practice but new entrants lose benefits of reaching the market place before training their competitors. The embedded carrier must research its ability, understanding, and interest in a technology. The embedded carrier only embarks upon developing competition limiting practices.

To use an analogy, it is clear that ISDN is of great benefit to end-users. It is also clear that no one wants ISDN under the terms that embedded networks are offering for interconnection and ubiquity of features.

Regarding uniform dialing arrangements, the largest carriers in each state have used the ubiquity banner for states within the carriers service area. TELCO Planning supports the benefits of a ubiquitous dialing method but considers the opportunity to have eroded because of the roll-out of Inter-changeable NPAs.

The existing geographic NPAs are only partially deployed yet because of assigning whole NPAs and NXXs geographically and service specific, the uniqueness of the WZ-1 logic

² CENTREX and CENTRANET are trademarks of carriers using switches for provisioning of PBX type services.

has been squandered. The last bastion is the 1+ toll indicator. While it is useful for end-users to rely on the 1+ toll indicator, the use of 1+ for local dialing of pay-per-call services such as directory assistance has eroded the former clear meaning. The effectiveness of debating this issue on a national level appears to be futile.

As an example, many US WEST subscribers are unaware of the use of 411 for directory assistance. Likewise, many Pacific Bell subscribers are unaware of dialing 1+10 digits to reach local directory assistance. The cross pollination of users between service areas is not significant and neutral solutions deployed by GTE in those service areas ended up abandoned. The unique scenario described above is supported by the very few people who actually travel enough to even care what other local dialing plans are.

15. The Transition Period

The commission asked for comments on CIC code expansion. TELCO Planning did not comment on this issue in the NOI except to say that the solution in place today was not sufficient. TELCO Planning believes the guidelines are well thought out for assignments, yet the embedded networks have failed to modify systems to allow introduction of the use of these codes any more rapid than an as-needed-basis. The as-needed-basis approach has left portions of everyone's network with pockets of non-supported operation and switching systems. Now as speculated, many new information highway service providers are left to introduce services through three digit compatible gateways, who cannot order little ONA trunks. Instead these gateways have been forced to purchase from ONA product lists that are bundled to into exchange (non-access) tariffs, with features leaving them solely dependent on the embedded network providers.

There is a misconception that only access purchasers need CIC codes. In fact any National provider that wants to use a LEC billing service, without regards to selling

communications services, must use/obtain a CIC code. Very few LECs offer billing and collection services directly to requesters without use of a CIC code. The billing implementation of non-access customer products is held hostage by extremely expensive billing and OSS systems which or not within reality to renovate for use without CIC codes.

It is also becoming apparent that new service providers, not purchasing access products, are ordering ONA services but must obtain use of a CIC from some CIC holder not using access in their area. While some entities have addressed expansion of CIC codes, a national concern cannot anticipate using their four digit CIC code within today's existing Intelligent (CCS/SS7) or Traditional (In-band/MF) signaling networks within the next ten years. The use of Advance Intelligent Network methods of routing calls to non-traditional access purchasers does not require CIC codes, but AIN will not be used by more than 50% of the networks (only 20% of the subscriber lines) within the next few years (without FCC mandates).

TELCO Planning concurs with the FCC that there are no other alternatives that can be introduced at this late date in the game and that CIC expansion, like inter-changeable NPAs should not be re-addressed. The FCC should only prepare itself to address new entrants complaining of restraint of trade and demands for faster/mandatory roll-outs upgrades in technologies.

Regarding comments on the transition for permissive dialing of expanded CICs, the FCC should offer in its' solution, the 6 year plan. The proposal of six years for a transition period is certainly easier for a small network provider to purchaser from its' OSS and switch provider, the updates for CIC expansion. It is very probable that the system integrators of OSS and switching systems will offer this upgrade while meeting the needs of wireless or the introduction to CAP interconnection requirements.

Regarding the commissions comments on completion of Intra-LATA, Interstate or toll calls, TELCO Planning concurs with the FCC's findings in paragraph 58 of the Notice of this

NPRM. TELCO Planning believes that the routing of toll calls according to end-user defined parameters is significant to end-users expectations and ushers in the request of LEC and IXC's to enter into each others market place.

TELCO Planning reiterates its' appreciation to comment. The FCC has done an expeditious and thorough job of addressing the needs of both NARUC and the current NANP.